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Attorney's Docket No.: M00925/70110 TJO

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jackie Y. Ying et al.  
Serial No.: 10/044,801  
Confirmation No.: 4734  
Filed: January 11, 2002  
For: NANOCRYSTALLINE APATITES AND COMPOSITES, PROSTHESIS  
INCORPORATING THEM, AND METHOD FOR THEIR PRODUCTION  
Art Unit: 1755

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on the 18<sup>th</sup> day of June, 2002.

Joan E. Meagher

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith are the following documents:

- ☒ Part 2 Notice to File Missing Parts of Reissue Application
- ☒ Assignee's Statement Under 37 C.F.R. 3.73(b)
- ☒ Reissue Declaration and Power of Attorney by Inventors
- ☒ Assent of Assignees to Reissue and Offer to Surrender Original Letters Patent
- ☒ Petition for One (1) Month Extension of Time
- ☒ Return Postcard

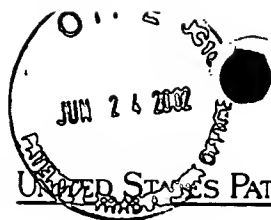
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$1231.00 (\$370.00 filing fee, \$657.00 total claims in excess of 20, \$84.00 independent claims in excess of 3, \$55.00 extension of time, \$65.00 surcharge) is enclosed. If this fee is insufficient or if extensions of time are necessary, please charge the balance to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Timothy J. Oyer, Reg. No. 36,628  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel. (617) 720-3500  
Fax (617) 720-2441

Docket No.: M00925/70110 TJO  
Date: June 18, 2002  
x06/18/02



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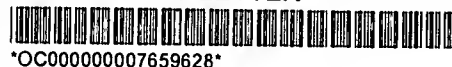
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/044,801	01/11/2002	Jackie Y. Ying	MO925/7110

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

CONFIRMATION NO. 4734

FORMALITIES LETTER



\*OC000000007659628\*

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

*Filing Date Granted*

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$13764.
  - \$9648 for 536 total claims over 20.
  - \$4116 for 49 independent claims over 3.
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 14634.**
- o Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY OF COMMERCE AND  
OWNER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/044,801	01/11/2002	Jackie Y. Ying	MO925/7110

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

Refund Ref:  
08/22/2002 SDIRETA1 0000120064 *UK*

CHECK Refund Total: \$174.00

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Adjusted date: 08/22/2002 SDIRETA1  
08/05/2002 SDIRETA1 00000053 10044801  
03 FC:210  
-657.00 OP

Date Mailed: 03/18/2002

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/05/2002 SDIRETA1 00000053 10044801

FILED UNDER 37 CFR 1.53(b)

01 FC:200 370.00 OP  
02 FC:209 65.00 OP  
03 FC:210 657.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application:

☐ The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). A surcharge is not required when supplying this item.

☒ Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

☐ Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

☒ Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

☐ Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

03/27/2002 YPOLITE1 00000056 10044801

A copy of this notice **MUST** be returned with the reply.

08/30/2002 TLWU11 00000005 10044801

01 FC:201 370.00 OP  
02 FC:205 65.00 OP  
03 FC:202 65.00 OP  
04 FC:203 657.00 OP

01 FC:209 42.00 OP

*C. M. [Signature]*

Office of Initial Patent Examination (703) 308-1202

08/22/2002 SDIRETA1 00000047 10044801

Adjusted date: 03/03/2002 SDIRETA1  
03/27/2002 YPOLITE1 00000056 10044801  
01 FC:201 370.00 OP  
02 FC:205 65.00 OP  
03 FC:202 65.00 OP  
04 FC:203 657.00 OP

01 FC:210 441.00 C  
02 FC:202 42.00 OP  
Adjusted date: 08/30/2002 TLWU11  
08/22/2002 SDIRETA1 00000047 10044801  
02 FC:202 42.00 OP